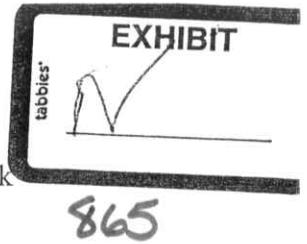


Act 661, LD 2283, An Act to Implement the Recommendations of the Governors Task Force on Wind Power, contains the following language:



**4. Visual impact assessment; rebuttable presumption.** An applicant for an expedited wind energy development shall provide the primary siting authority with a visual impact assessment of the development that addresses the evaluation criteria in subsection 3 if the primary siting authority determines such an assessment is necessary in accordance with subsection 3. **There is a rebuttable presumption that a visual impact assessment is not required for those portions of the development's generating facilities that are located more than 3 miles, measured horizontally, from a scenic resource of state or national significance.** The primary siting authority may require a visual impact assessment for portions of the development's generating facilities located more than 3 miles and up to 8 miles from a scenic resource of state or national significance if it finds there is substantial evidence that a visual impact assessment is needed to determine if there is the potential for significant adverse effects on the scenic resource of state or national significance.

The legislation defines a scenic resource of state or national significance as:

**9. Scenic resource of state or national significance.** "Scenic resource of state or national significance" means an area or place owned by the public or to which the public has a legal right of access that is:

**D. A great pond that is:**

**(1) One of the 66 great ponds located in the State's organized area identified as having outstanding or significant scenic quality in the "Maine's Finest Lakes" study published by the Executive Department, State Planning Office in October 1989;**

The Study titled Maine's Finest Lakes, published October 1989 **does not contain 66 lakes.** The lakes are listed beginning with Abbott's Pond on page 33 and ending with Warren Pond on page 70. One pond is listed per page, so **there are actually 38 ponds or lakes on the list, not 66.** Therefore one may ask what happened to the other 28 lakes on the list of 66 lakes referred to in the legislation. One of the missing lakes is without question Roxbury Pond in Bryon and Roxbury. A discussion of the criteria by which lakes were evaluated for inclusion on the Finest Lakes list, the assessments performed and a comparison of Roxbury Pond with some of the lakes on this list makes it clear that one of the 24 missing lakes on a list of 66 of Maine's Finest Lakes must be Roxbury Pond.

Following is the ranking for Roxbury Pond. Notice that Roxbury Pond received a ranking of "statewide significance" for wildlife and a ranking of "significant" for fisheries. The other criteria are not filled in, meaning that Roxbury Pond was not evaluated in these areas -Botanic, Physical, Cultural, Scenic, or Shoreline

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Lake Name	Lake #	IFW Region	Size (Acres)	Botanic	Physical	Cultural	Scenic	Shoreline	Fisheries	Wildlife	Overall Rating
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\*\* TOWNSHIP NAME: BYRON

ELLIS (ROXBURY) P	3504	D	920						S	D	1B
ELLIS P (LITTLE)	3502	D	297						S		2

There is no argument that Roxbury Pond is an outstanding resource for its abundant wildlife, including two bald eagle rookeries, a man made nesting site used annually by a pair of loons, frequent use of the pond by moose, and the presence of many other big game animals. Deer wintering areas near the pond make deer sightings a frequent occurrence during the winter months. Beavers, mink, fishers, bobcats, fox, otters and many other animals are found there. Likewise there is no disagreement about the fishing opportunities afforded anglers on the pond. Roxbury Pond has always been famous for its abundant fishery.

The construction of many primitive fishing camps in the first half of the 20<sup>th</sup> century when automobiles allowed residents of Andover and Rumford more convenient access to the pond was recognition of the ponds abundant fishery, a fact that previously was known only to the farmers nearby in Byron who made frequent trips to the pond by foot or horseback where they kept rowboats along the shoreline.

Black bass in the 5 pound range are occasionally caught, and large schools of white perch provide table fare for those who enjoy the traditional corn meal and salt pork fish fry. Pickerel as large as 26" are found in the shallows. Fishermen occasionally catch brown trout which migrate into the pond from Garland Brook and Beaver Brook and are also stocked. Hornpout fishing at night is a favored activity of some fishermen who enjoy catching one of the few fish that are skinned rather than scaled, filleted, or cooked whole. Suckers and sunfish are frequently caught as well. Bushels of smelt can be harvested in Garland Brook during April or May as the spawning fish make their way upstream. Numerous shanties testify to the pond's excellent ice fishing. If anything, one could quarrel that the fishery on Roxbury Pond is equal to any other pond the state and is fully deserving of an outstanding rating.

The reason for the failure of the study to properly evaluate Roxbury Pond on the criteria that are left blank on the evaluation form is unknown, but the report makes clear that many ponds may not have been properly evaluated as is discussed in the description of the standards used to evaluate shoreline character:

**"Given the lack of information, the resulting list of lakes may be incomplete and some lakes with significant or outstanding shoreline characteristics may have gone unreported."**

Following are individual sections of the Maine's Finest Lakes survey explaining the overview and standards used by the evaluation teams in their assessment, and comments about Roxbury Pond's qualifications.

## SHORELINE CHARACTER

### Overview

Shoreline character refers to physical features at the lake's edge and their relationship to recreational use of the lake. Shore features such as beaches, ledges, and open areas are included to the extent that they enhance opportunities for swimming, diving, wading, camping, picnicking, fishing, or boating.

### Standards

Lacking an established base of information for Maine lake shorelines, lakes included in the shoreline character evaluation were limited to the 115 lakes flown for scenic assessment. In addition to aerial evaluation, resource experts were consulted about shoreline information. Given the lack of information, the resulting list of lakes may be incomplete and some lakes with significant or outstanding shoreline characteristics may have gone unreported.

Roxbury Pond has a shoreline which includes no less than 4 fine sand beaches distributed around the pond, numerous rock outcroppings, both along the perimeter of the pond and also forming the shoreline of both islands, a gently undulating shoreline which forms many discrete coves and points, and an inlet which is navigable by small boat or canoe for a great distance. The pond is bordered on the west by a wide flat basin with numerous wetlands and bogs. There is a particularly unique feature in the northwest corner of the pond called The Logan, which is a relatively slow moving body of water several hundred yards long culminating in a wide pool. The Logan is home to numerous chain pickerel, many turtles, many species of birds and often moose can be seen or heard in the woods nearby. Just outside the Logan is a weed filled cove that is the nesting site for one of several pairs of loons which raise a family yearly on Roxbury Pond.

More than 60% of the shoreline of Roxbury Pond is undeveloped due to the wetlands that border the wide area between the inlet and the outlet. On the west shore ancient ice formed berms 4-5 feet high are remnants of a different period in the pond's evolution. The annual ice-over of the pond has over thousands of years acted as a giant bulldozer blade, each year pushing a tiny amount material at the waters edge into a long pile

A boulder field fills the shallows on the west shore to the west of the outlet. The rounded rocks were tumbled a long distance before coming to rest here, where they provide perfect spawning habitat for the black bass population that is the mainstay of sport fishing on the pond.

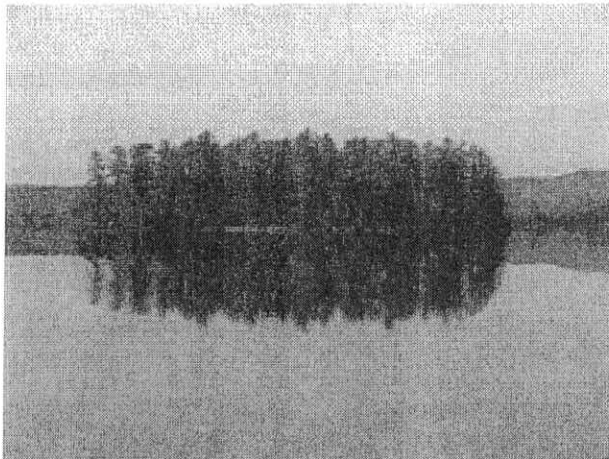
The larger of the two islands on Roxbury Pond has been the home of a bald eagle rookery for at least 25 years. A stand of old growth pines on French Island provide the perfect nesting sites for these majestic creatures. Each year the eagles

raise 2 or 3 young and the juveniles usually return with their parents for a year two before moving on to find mates and their own nesting sites. Eagles can often be seen perched near the tops of the tallest pine trees along the lake, scanning for their next meal. Fish hawks and ospreys are frequently seen taking fish from the lake as well as the eagles. A natural balance of nature has allowed the pond to support such a diverse population of animals over the centuries. There is no question that Roxbury Pond is well deserving of its 1A ranking of "state or national significance" for wildlife.

Roxbury Pond varies in depth from 3-4 feet a hundred feet or so from most shorelines to an average depth of 9-12 feet in the middle with a deep hole south of French Island that is 42 feet deep. Several enormous rock formations, which are visible during low or rough water, sit near the edge of this deep hole, their massive shapes disappearing into the depths.

The largest of Roxbury's beaches is town property, donated by the Merrill family, early settlers of Andover and later of Merrill Lynch fame. The beach is approximately 50' wide and nearly 1/3 mile long and forms a buffer between the pond and the numerous small camps that date from the early 20<sup>th</sup> century.

The attributes described above are all familiar features to anyone who has lived at the pond. Nowadays, many of the camps which were originally built by people from nearby towns are owned by people from MA, CT, RI, VT, and many other states. Many formerly seasonal camps have been improved for year round use. In addition to fishing and boating in the summer, the winter recreational activities of snowmobiling, snow shoeing, cross country skiing, ice fishing and eagle watching afford full and part time residents and visitors an unparalleled 4 season experience.



French Island

## SCENIC QUALITY

### Overview

Scenic quality was evaluated from the perspective of views available from a lake, based on two main assumptions: 1) Landscapes of mountains, hills, and unaltered forested terrain adjacent to a lake are visually pleasing; and 2) As the variety of landscape features increases, so does the overall scenic beauty of a lake. Based on these premises, the level of scenic quality for a lake is generally proportional to lake size and local topographical relief.

This assessment considered the overall scenery of a lake, rather than scenery from a single view at specific locations.

### Standards

The assessment process largely followed that described in Scenic Lakes Evaluation in Maine's Unorganized Towns, prepared in 1987 as part of the Maine Wildlands Lake Assessment.

An initial list of potentially scenic lakes was developed by visually inspecting topographic maps for areas of high relief. The edge index (ratio of shoreline length to surface area) was then calculated for each lake on the list.

To remain on this list, the lakes had to meet the following criteria:

- o Exhibit a 300 foot change in relief within 0.5 miles of the lake, or
- o Exhibit a 700 foot change in relief within 7.0 miles, or
- o Have an edge index of at least 1.5.

The master list was further refined as follows:

- o Large lakes, greater than 1,000 acres, were removed from consideration if they had less than 4 areas of significant relief.
- o Medium sized lakes, 500 to 999 acres, were removed if they had less than 3 areas of significant relief.
- o Small lakes, 10 to 499 acres, were removed if they had less than 2 areas of significant relief.

Lakes were added to the list if they:

- o Appeared to be remote. (Remote lakes included lakes that did not contain vehicular access within a quarter mile of the shoreline. These

were identified by reviewing maps contained in the Maine Atlas and Gazetteer, published by the DeLorme Mapping Company, Freeport, Maine.)

- o Were located above 1,800 feet in elevation, or
- o Had an area of significant relief (1,000 feet or more) within 1 mile.

Lakes that met all of the minimum standards were evaluated from the air. During the flight the following factors were evaluated:

- foreground and background relief
- number and distribution of physical features
- shoreline vegetational diversity
- special features (e.g. extreme water clarity)
- inharmonious development

A numerical rating was given to each factor that reflected the extent to which a lake displayed the characteristic. After the flight points were totaled for each lake. Numerical ratings from the flight data forms varied from 20 to 75 out of a total of 100 possible points. Lakes with ratings greater than 60 were designated outstanding. Lakes with ratings of 40 - 55 were designated significant. These point cut-offs were determined by arraying the data and identifying logical significance breaks.

#### Participants

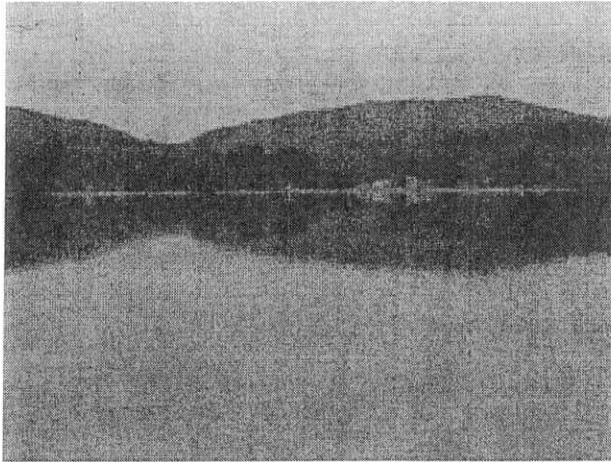
Hank Tyler, Critical Areas Program  
Drew Parkin, Scenic evaluation  
John Lortie, Scenic evaluation

#### Information Sources

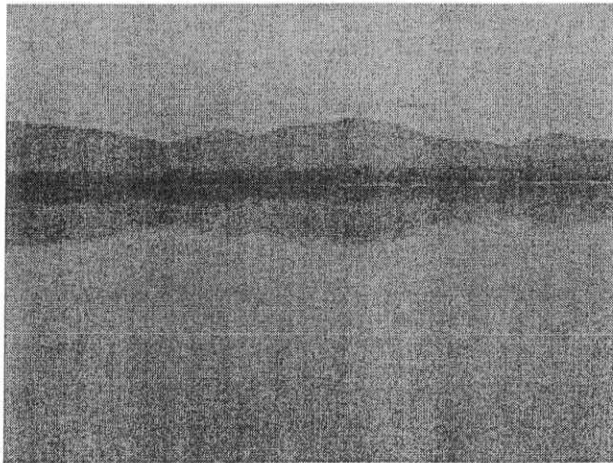
No base of consistent published or unpublished information on visual quality of lakes within the organized portion of the state was available.

Roxbury Pond's majestic scenic mountain vistas are perhaps its most impressive feature. Within 7 miles there are **no less than 13 peaks** on the horizon which rise 1000 feet or more above Roxbury Pond's 812' elevation above seal level. Further in the distance Bald Pate and Old Speck rise more than 3000 feet above sea level. The pond is completely encircled by mountains, with Old Turk, Record Hill, and Flathead Mountain rising quickly from the east and north edges of the pond, forming impressive near ground relief. These ridges, in close proximity to the pond, are the favorite soaring places of young eagles and other raptors due to the thermal updrafts that form during the summer when young eagles are first testing their wings. Roxbury Pond's rounded shape is enhanced by the navigable waters of the inlet, which flows down from Garland Pond until it reaches the lowlands to the west of the pond, where it begins to meander its way to Roxbury Pond. The reaches of the Logan combined with the shoreline of French Island and The Little Island, and gently undulating shoreline achieve an edge index of 1.5. These unique features of the pond combined with the magnificent mountain vistas and wide open sky make Roxbury Pond one of the most spectacular mountain scenery ponds in the entire state and easily qualify the pond as significant in the numerical rankings.





Roxbury Pond town beach, Black Mt. in the background.



Bald Pate, Old Speck in background. Old growth pine forested shoreline.

## PHYSICAL FEATURES

### Overview

When the glaciers retreated 10,000 years ago, the State of Maine was left with a cornucopia of lakes containing a rich assortment of noteworthy physical and geological features. Cliffs, sand beaches, and bedrock outcrops are noteworthy geologic features; subtler or less common features include fossil localities, relic shorelines, caves, waterfalls, reverse deltas, moraines, and kettleholes.

Certain Maine lakes also exhibit unique hydrological characteristics such as extremely low nutrient content, naturally high alkalinity, natural eutrophication, and chemical stratification. Often associated with these features are groups of species specifically adapted for living in such environments. For purposes of this report physical features are divided into geologic features and hydrologic features.

### Standards

To be included in the lakes assessment, geologic or hydrologic features had to be:

- o in the lake,
- o within a 250 feet of a lake (the shoreland zone), or
- o a dominant feature in the landscape as viewed from the lake.

For the geology component, a master list of those lakes located entirely within Maine's organized townships was distributed to geologists who have conducted field work for the Maine Geological Survey. Each geologist was asked to identify lakes that contained significant fossil localities, significant bedrock outcrops, sand beaches, cliffs, caves, waterfalls, relic shorelines, reverse deltas, significant glacial features, unusual hydrogeological features, or mineral resources.

The geologists were then asked to highlight any feature that was either 1) a type locality, 2) a rare occurrence, 3) an outstanding example, or 4) critical to geologic interpretation. Features that met any of these form criteria were given a final rating of outstanding. Others were given a rating of significant.

For the hydrology component, a master list of lakes located entirely within Maine's organized townships was sent to the Hydrology Coordinator of the Maine Department of Environmental Protection (DEP). DEP lake specialists identified lakes that contain exceptional depth, exceptional water clarity, unusual water chemistry, springs; or other significant hydrological features.

Hydrological features were ranked outstanding if they were 1) a rare occurrence, 2) critical to the interpretation and understanding of the hydrology of a region or 3) an outstanding example of a particular feature. Other noteworthy hydrologic features were given a rating of significant. The level of significance was qualitatively determined using professional judgement.

The most prominent feature of Roxbury Pond is French Island. Roughly 2 acres in size, and rimmed by huge boulders it occupies a spot roughly in the center of the pond. The deepest depth of the pond, at 42 feet, lies a hundred yards off the southwestern shore. The glacial action that deposited this mass of rocks is difficult to imagine, but the forces of ice or water that allowed moving rocks to pile up in this location must have been enormous. Equally fascinating is the

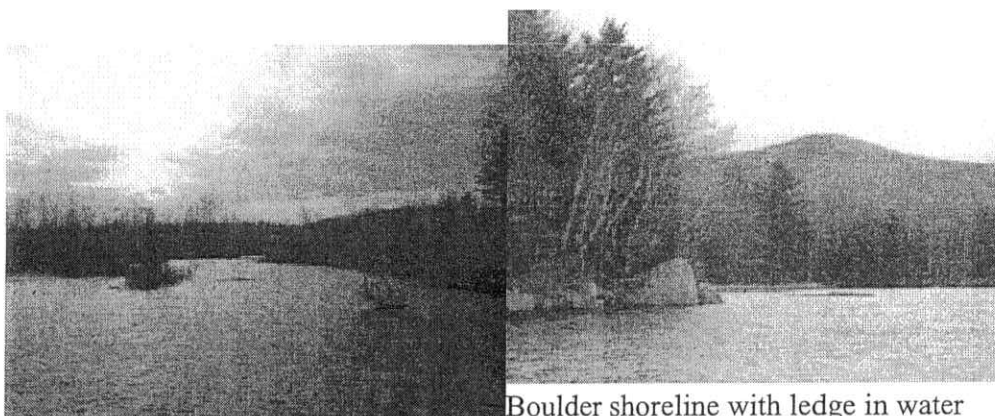


presence of "the deep hole", an anomaly in an otherwise fairly consistent depth of 9-12 feet in much of the pond. The much smaller "Little Island", near the outlet of the pond is likewise formed by an arrangement of huge rocks and the water on all sides is a treacherous portion of the pond due to the presence of numerous large boulders which, like the ancient sand dunes, were deposited thousands of years ago at a different time in the ponds evolution.

One of Roxbury Pond's less recognized relic features are the 4-5' high sand berms that rim the pond on the west shore. These long mounds of sand form a barrier to the wetlands beyond. When beavers decide to fill the breaches in these berms with their dams, large impoundments of water rise behind them 4' higher than the water level of the pond.

On the west shore can be found tall rock faces of enormous boulders pushed into place by glacial action and the few places where exposed bedrock ledges can be found.. The inlet to the pond from Garland Brook is unique for its length of navigable water. Further to the north the Logan forms a unique aquatic appendage, which extends, much like the inlet, several hundred yards into the low lands but ends in a large pool. The Logan is not part of an active flow of water into the pond like the inlet.

These various physical features are unique and important indicators of glacial activity which formed the pond and contribute to its outstanding ranking in its physical features.

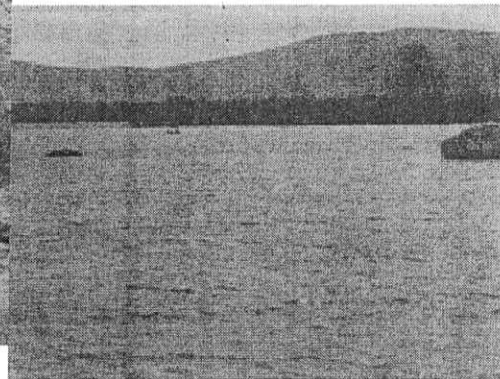


Boulder shoreline with ledge in water

The Logan disappears into the lowlands



Relic sand berms on west shore



Loon nest between the Logan and Inlet

## BOTANIC FEATURES

### Overview

Maine lakes contain a variety of valuable botanic features, both rare and common, which are an integral part of lake ecosystems. Lakes containing sedges, smartweeds, and rushes provide important waterfowl breeding and staging areas. Deer use cedar forests along lake edges for wintering areas; and many other wildlife species depend on lake-related plants for food, cover, hunting perches, and nesting material.

Shoreline vegetation acts as a natural filtration mechanism, filtering upland runoff before it empties into a lake, while aquatic vegetation often acts as a water quality monitor. Because many aquatic species tolerate only narrow ranges of water conditions, species presence or absence may indicate high or low acidity, alkalinity, productivity, or water clarity.

Botanic features also have aesthetic value; for instance, the presence of a mature forest along a lakes edge greatly enhances local scenic beauty and shoreline character.

### Standards

To be included in the botanic feature assessment a lake had to be:

- o 10 or more acres in size,
- o entirely within an organized township, and
- o contain at least one significant botanic feature.

All botanic features had to be within a 250-foot shoreland zone. Priority was given to plants or plant communities that are water-dependent. Pertinent botanical information was compiled from existing information sources. In addition, a questionnaire was sent to botanists who have worked in Maine.

#### Natural old-growth forest stands

Natural old-growth forest stands were included if they met the minimum standards, and if:

- 1) the stand contained a significant number of trees that were 100 years of age or older;
- 2) the stand contained long-lived species characteristic of a sub-climax or climax forest;
- 3) the old growth component was a stand, part of a group of stands, or was growing in association with a stand; and
- 4) the stand appeared to be undisturbed by humans.



The inlet with Hedgehog Hill in the background

French Island is home to a stand of old growth pine and the west shore of the pond is also the location of old growth pine forests. These large trees are important as preferred nesting sites for the bald eagles which have called Roxbury Pond home for more than a quarter century, testament to the success of the bald eagle restoration effort and also the outstanding habitat presented by Roxbury Pond both as a nesting site and a plentiful source of fish which are the mainstay of the eagle's diet.

## CULTURAL FEATURES

### Overview

People have lived in Maine since the last ice sheets retreated over 10,000 years ago. Being such dominant features in the landscape, and providing essential elements for survival, lakes were extensively used by prehistoric peoples. After the arrival of European settlers, lakes retained their position as a focus for human activity. Given this long history of use, it is not uncommon to find significant historic structures, trails, and prehistoric settlements within close proximity to lakes. These sites provide a critical link to the past and add to the overall environmental significance of our lakes.

### Standards

Cultural features were classified into four general groups: 1) prehistoric archeological features, 2) historic archeological features, 3) historic structures, and 4) other lake-related cultural features. In general, cultural resources within the shoreland zone (up to 250 feet from the lake) were included in the assessment. Cultural features beyond the shoreland zone were included if they had a direct connection to a lake, such as Indian canoe routes.

Resources included in the assessment were identified using existing sources of information. Individual resource experts from the Maine Historic Preservation Commission outlined the significance of each cultural feature.

Cultural resources for each lake were entered into a computer data base under the four groups listed above. Each feature was rated significant, outstanding, or unknown, except for lakes with multiple features, which received an overall rating. Features on state or federal registers were automatically given a rating of outstanding. Other features were rated using professional judgement. Lakes with multiple significant features were given a rating of outstanding.

### Participants

Arthur Spiess, Maine Historic Preservation Commission (MHPC)  
Robert Bradley, MHPC  
Kirk Mohny, MHPC

### Information Sources

Maine Archeological Survey  
National Register of Historic Places  
Statewide Historic Archeological Inventory  
Maine Historic Preservation Commission

A unique and outstanding cultural feature of Roxbury Pond is its location adjacent to the Andover Earth Station, one of the two places on earth that beamed the first satellite telecommunications from one continent to another in the late 1960's. The Roxbury Pond basin was chosen as the location for this historic achievement due to the ring of encircling mountains which not only provide the spectacular view shed but also create a physical barrier to terrestrial radio frequency interference. Located less than 3 miles from the pond the modern satellite dishes which are in use today provide the transmission network for important worldwide telecommunications. Millions of tourists visited the Andover Earth Station after it was built in the 1960's, and this area will forever be remembered for the seminal achievement that has allowed the satellite telecommunications industry to

become a critical component of everyday life. While there are no plans at present for a national or state park to commemorate this place, future generations may very well recognize the significance of this achievement to the advancement of civilization. The part played by the undeveloped mountains that circle this area will be an integral aspect of the telling of the story. Turbines on the ridges will adversely impact the view for future visitors and lessen the experience of how the geography of the area was critical to the success of the project.

## COMPARING ROXBURY POND TO OTHER LAKES ON THE LIST

The recognition of Roxbury Pond's well deserved ranking as one of the 66 ponds of statewide significance in the Maine's Finest Lakes study is reinforced by comparing it to just a few of the ponds named on the list.

## ANNABESSACOOK LAKE

**MIDAS #:** 9961  
**Size:** 1420 acres

**Township:** Monmouth  
**County:** Kennebec  
**USGS Quad:** Augusta  
**Basin:** Kennebec

**SUMMARY OF SIGNIFICANCE** Annabessacook Lake contains outstanding fisheries and wildlife resources.

**GENERAL DESCRIPTION** This developed lake is located near Augusta in a chain of lakes that include Maranacook and Cobbosseecontee Lakes. Seasonal camps and year-round homes rim most of the lake shore. The lake has experienced substantial algae blooms for many years, and has recently received alum treatments in an effort to improve the water quality. Agricultural runoff in the watershed is thought to be the major contributor of nutrient pollution. Maximum depth is 49 feet, and average depth is 21 feet.

### DESCRIPTION OF SIGNIFICANT RESOURCES

**Fisheries:** This mesotrophic lake supports outstanding warmwater fisheries, with the principal species being largemouth and smallmouth bass, white perch, and chain pickerel. Natural reproduction is excellent due to the good quality of the aquatic habitat. Fishing quality is excellent, though the fishing pressure is low. Overall economic importance is low. There is a dam at the outlet, but it has no fishway.

**Wildlife:** Annabessacook Lake is considered an outstanding wildlife resource. It is a significant shorebird staging area, and supports at least two pairs of breeding common loons. Riparian and upland habitats are very valuable to wildlife, and trapping and wildlife opportunities in the area are good.

**Scenic:** No significant features reported.

**Shore Character:** No significant features reported.

**Botanic:** No significant features reported.

**Cultural:** No significant features reported.

**Geologic:** No significant features reported.

**Hydrologic:** No significant features reported.

Roxbury Pond compares favorably to Annabessacook Lake in fisheries and wildlife, but has the added components of significant scenic and shore character. Roxbury Pond has never had to be treated for algae blooms and at least one half of the shoreline is undeveloped.

## AUNT BETTY'S POND

**MIDAS #:** 4588  
**SIZE:** 34 acres

**Township:** Bar Harbor  
**County:** Hancock  
**USGS Quad:** Acadia National Park  
**Basin:** Coastal

**SUMMARY OF SIGNIFICANCE** Aunt Betty's Pond is located in Acadia National Park. It has outstanding scenic resources, a significant brook trout, golden shiner and common sucker fishery and 1 state threatened rare plant station.

**GENERAL DESCRIPTION** This is an eutrophic pond with an average depth of 3 feet and a maximum depth of 7 feet.

### DESCRIPTION OF SIGNIFICANT RESOURCE FEATURES

**Fisheries:** This is a low quality shallow, marshy pond. The water is too warm to support many trout. Major species include brook trout, golden shiner, nine-spine stickleback and common sucker. The outlet, Richardson Brook, supports most of the brook trout population.

**Wildlife:** No known significant wildlife features.

**Scenic:** This pond has a number of outstanding scenic features; a high complexity of surrounding relief, an island, and an undeveloped forested shoreline.

**Shore Character:** No significant features reported.

**Botanic:** Small purple bladderwort, Utricularia resupinata, is a state significant specie.

**Cultural:** No significant features reported.

**Geologic:** No significant features reported.

**Hydrologic:** No significant features reported.

Roxbury Pond has a significant fishery, outstanding wildlife, significant scenic, botanic and shoreline features.



## BURNT POND

**MIDAS #:** 4288  
**Size:** 315 acres

**Township:** Dedham  
**County:** Hancock  
**USGS Quad:** Orland  
**Basin:** Union

**SUMMARY OF SIGNIFICANCE** Burnt Pond has outstanding scenic and shoreline features. This highly scenic lake includes numerous islands, an irregular shoreline, no development, and large boulders along the shore.

**GENERAL DESCRIPTION** This is a mesotrophic coldwater lake with an average depth of 22 feet and a maximum depth of 27 feet. The lake is closed to the general public. Water from the pond supplements the adjacent Floods Pond water supply.

### DESCRIPTION OF SIGNIFICANT RESOURCES

**Fisheries:** No significant features are reported. Native brook trout are the principal fishery and only gamefish in the pond.

**Wildlife:**

**Scenic:** Outstanding is the only way to describe this pond with high dramatic relief, 10 + islands, a bouldered shore, and mixed vegetation communities of white pine, spruce/fir, oak, maple, and birch.

**Shore Character:** The outstanding character of this shore is derived from being 100% bouldered, including boulders in water, and few or small bedrock slabs.

**Botanic:** No significant features reported.

**Cultural:** No significant features reported.

**Geologic:** No significant features reported.

**Hydrologic:** No significant features reported.

Roxbury Pond has outstanding wildlife, a significant fishery, significant scenic and shoreland character including sand beaches, 2 islands, bouldered shores and bedrock slabs, and significant botanic features.

## HATCASE POND

MIDAS #: 4290  
Size: 145 acres

Township: Dedham  
County: Hancock  
USGS Quad: Orland  
Basin: Union

**SUMMARY OF SIGNIFICANCE** Hatcase Pond has outstanding scenic and shoreline features, and significant fishery features. This pond is nestled in between 5 small ridges, which provide a scenery of highly complex relief. The irregular shoreline adds to the overall scenic diversity.

**GENERAL DESCRIPTION** Hatcase Pond is a coldwater oligotrophic pond with an average depth of 38 feet and a maximum depth of 77 feet. Part of the pond is closed to fishing around the Brewer water supply. Public access is by permission over a private road.

### DESCRIPTION OF SIGNIFICANT RESOURCES

**Fisheries:** This pond has significant fishery resources. Native brook trout are the principal fishery. The pond also supports smallmouth bass and pickerel.

**Wildlife:** No specific rating, though the pond does possess moderate value upland habitat.

**Scenic:** High dramatic relief, and partially bouldered shore contribute to the outstanding scenery of this pond despite it being partially developed.

**Shore Character:** The shore is undeveloped except for 1 camp and a pumping station. Large or dominant protruding bedrock ledges, a rocky shore, and an island contribute to the outstanding shore character.

**Botanic:** No significant features reported.

**Cultural:** No significant features reported.

**Geologic:** No significant features reported.

**Hydrologic:** No significant features reported.

Roxbury Pond has a significant fishery, outstanding wildlife, high dramatic relief, a partially bouldered shore, 4 beaches, ancient sand dunes, bedrock ledges.

## INDIAN POND (BIG)

**MIDAS #:** 5464  
**Size:** 990 acres

**Township:** St. Albans  
**County:** Somerset  
**USGS Quad:** Pittsfield  
**Basin:** Kennebec

**SUMMARY OF SIGNIFICANCE** Big Indian Pond contains outstanding wildlife and botanic resources, as well as significant fisheries resources.

**GENERAL DESCRIPTION** This small, developed lake is located in central Maine about 10 miles west of the town of Corinna. It is connected to Little Indian Pond by a short stream channel. Most of the shore is developed with seasonal camps and homes, and there are two public boat landings. The pond is relatively shallow, with an average depth of 15 feet and a maximum depth of 28 feet.

### DESCRIPTION OF SIGNIFICANT RESOURCES

**Fisheries:** This mesotrophic waterbody supports significant coldwater and warmwater fisheries. The principal species are smallmouth bass, white perch, chain pickerel, and brown trout. The trout is the only stocked species. There is a dam controlling water levels, but there is no fishway. Fish abundance is good, as are the fishing quality and aesthetics. Despite poor water quality, natural reproduction is considered moderate. Economic importance is low.

**Wildlife:** Big Indian Pond is considered an outstanding wildlife resource. Adjacent riparian areas are highly valuable to wildlife, and the wetland and upland areas are also important. Species abundance and species diversity are moderate, as are the opportunities to hunt, trap, and view wildlife.

**Scenic:** No significant features reported.

**Shore Character:** No significant features reported.

**Botanic:** This pond is considered an outstanding botanic resource because it contains Vasey's pondweed (*Potamogeton vaseyi*), which is currently an endangered species.

**Cultural:** No significant features reported.

**Geologic:** No significant features reported.

**Hydrologic:** No significant features reported.

Roxbury Pond has a significant fishery, outstanding wildlife, significant scenic and shore character, and old growth forests on French Island and the West Shore.

The foregoing makes it clear that Roxbury Pond possesses the attributes that are necessary for inclusion on the Maine's Finest Lakes list of 66 lakes, ie. outstanding wildlife and significant resources in at least four other areas. Indeed, Roxbury Pond is number 35. There are 31 ponds still to be added to make 66 as required by law.

In closing, the following large link opens a Google map showing the amazing topography of the Roxbury Pond area. Notice the wide, flat, bowl shaped area the pond sits in, with the "Record Hill ridge" forming significant relief very close to the pond and the numerous other mountains encircling the bowl forming a spectacular panoramic viewshed. This area was chosen for the location of the Andover Earth Station, indicated on the map as a "radio facility", because of its unique geographic features, as the ring of mountains forms a perfect barrier to terrestrial radio frequency interference. Cut and paste the entire text below into your browser:

<http://mapper.acme.com/?ll=44.65693,-70.66406&z=12&t=T&marker0=-43.37391%2C69.36691%2CN-44o37.566%20W-70o37.985'&marker1=44.66130%2C-70.62776%2C4.2%20mi%20S%20of%20Byron%20ME&marker2=44.67918%2C-70.63278%2C3.0%20mi%20S%20of%20Byron%20ME&marker3=44.67363%2C-70.63128%2C3.3%20mi%20S%20of%20Byron%20ME&marker4=44.66337%2C-70.63037%2C4.1%20mi%20S%20of%20Byron%20ME&marker5=44.64063%2C-70.62964%2Cunnamed&marker6=44.65675%2C-70.63033%2C4.5%20mi%20S%20of%20Byron%20ME&marker7=44.65223%2C-70.63248%2C4.8%20mi%20S%20of%20Byron%20ME&marker8=44.66926%2C-70.63162%2Cunnamed&marker9=44.67793%2C-70.63376%2C3.0%20mi%20S%20of%20Byron%20ME&marker10=44.68165%2C-70.63351%2C2.8%20mi%20S%20of%20Byron%20ME&marker11=44.66182%2C-70.62850%2C4.2%20mi%20S%20of%20Byron%20ME&marker12=44.66514%2C-70.63162%2C3.9%20mi%20S%20of%20Byron%20ME&marker13=44.68315%2C-70.63342%2C2.7%20mi%20S%20of%20Byron%20ME&marker14=44.65876%2C-70.63025%2C4.4%20mi%20S%20of%20Byron%20ME&marker15=44.65015%2C-70.63145%2C5.0%20mi%20S%20of%20Byron%20ME&marker16=44.67586%2C-70.63196%2C3.2%20mi%20S%20of%20Byron%20ME&marker17=44.63357%2C-70.62741%2C6.1%20mi%20E%20of%20Andover%20ME&marker18=44.63617%2C-70.63033%2C5.9%20mi%20S%20of%20Byron%20ME&marker19=44.67207%2C-70.63162%2Cunnamed&marker20=44.64267%2C-70.62926%2C5.5%20mi%20S%20of%20Byron%20ME&marker21=44.63846%2C-70.63025%2C5.8%20mi%20S%20of%20Byron%20ME&marker22=44.65461%2C-70.63110%2C4.7%20mi%20S%20of%20Byron%20ME>

In addition here is a link to a satellite photo of Roxbury Pond showing the long length of navigable water in the inlet, the unusual feature of the Logan, the absence of development on the entire western half of the pond, the significant beach on the eastern shore, one major island and two smaller islands.

<http://mapper.acme.com/?ll=44.66243,-70.66149&z=14&t=S&marker0=44.67363%2C-70.63128%2C3.3%20mi%20S%20of%20Byron%20ME&marker1=44.65223%2C-70.63248%2C4.8%20mi%20S%20of%20Byron%20ME&marker2=44.66182%2C-70.62850%2C4.2%20mi%20S%20of%20Byron%20ME&marker3=44.65015%2C-70.63145%2C5.0%20mi%20S%20of%20Byron%20ME&marker4=44.67207%2C-70.63162%2Cunnamed&marker5=-43.37391%2C69.36691%2CN-44o37.566'%20W-70o37.985'&marker6=44.66926%2C-70.63162%2Cunnamed&marker7=44.67586%2C-70.63196%2C3.2%20mi%20S%20of%20Byron%20ME&marker8=44.67918%2C-70.63278%2C3.0%20mi%20S%20of%20Byron%20ME&marker9=44.63617%2C-70.63033%2C5.9%20mi%20S%20of%20Byron%20ME&marker10=44.65461%2C-70.63110%2C4.7%20mi%20S%20of%20Byron%20ME&marker11=44.66130%2C-70.62776%2C4.2%20mi%20S%20of%20Byron%20ME&marker12=44.67793%2C-70.63376%2C3.0%20mi%20S%20of%20Byron%20ME&marker13=44.63357%2C-70.62741%2C6.1%20mi%20E%20of%20Andover%20ME&marker14=44.66337%2C-70.63037%2C4.1%20mi%20S%20of%20Byron%20ME&marker15=44.64267%2C-70.62926%2C5.5%20mi%20S%20of%20Byron%20ME&marker16=44.65675%2C-70.63033%2C4.5%20mi%20S%20of%20Byron%20ME&marker17=44.64063%2C-70.62964%2Cunnamed&marker18=44.63846%2C-70.63025%2C5.8%20mi%20S%20of%20Byron%20ME&marker19=44.68165%2C-70.63351%2C2.8%20mi%20S%20of%20Byron%20ME&marker20=44.68315%2C-70.63342%2C2.7%20mi%20S%20of%20Byron%20ME&marker21=44.65876%2C-70.63025%2C4.4%20mi%20S%20of%20Byron%20ME&marker22=44.66514%2C-70.63162%2C3.9%20mi%20S%20of%20Byron%20ME>

Please make findings of fact on the following issues with regard to the statute:

- (1) The legislation specifies 66 lakes to be on the list of Maine's Finest Lakes.
- (2) The Maine's Finest Lakes study is by its own admission incomplete.
- (3) Roxbury Pond was overlooked in the study because it received no score in several categories.
- (4) Using the criteria by which ponds were judged when the survey was initially undertaken, Roxbury Pond qualifies as a scenic resource of statewide significance due to its significant, if not outstanding, scenic quality as defined by the study criteria.
- (5) Roxbury Pond should therefore be recognized as an additional lake in the list of 66 of Maine's Finest Lakes for the purposes of evaluating the impact of wind turbines on the scenic character of Roxbury Pond.
- (6) 22 wind turbines in a linear arrangement facing Roxbury Pond will create an undue adverse impact on the character of the area due to the inharmonious nature of industrial wind generating facilities in such close proximity to a scenic resource of statewide significance.

Testimony submitted by  
Steve Thurston  
Camp Sylvan  
Roxbury Pond



Record Hill Wind, LLC // Natural Resources Protection Act  
Construction of 50.6 megawatt wind energy development - Roxbury

- Petition submitted by Rufus Brown on behalf of Concerned Citizens to Save Roxbury
  - Petition for temporary restraining order (7/3/09)